

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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MARGARY PAULINO GARCIA,

Plaintiff,

-v-

1239 FOOD CORP., d/b/a KEY FOOD,

Defendant.  
-----X

22-cv-1009 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Plaintiff's motion to exclude Defendant's Exhibit 7 is GRANTED. Plaintiff moved to exclude that exhibit on January 15, 2024. Dkt. No. 30. The Court ordered Defendant to file its response to that motion by 2:00 P.M. the following day. Dkt. No. 31. However, Defendant failed to do so. At Defendant's request, the Court permitted Defendant to submit a copy of Exhibit 7 to the Court by 7:00 P.M. on January 17, 2024 if Defendant intended to introduce the exhibit at trial. Once again, Defendant failed to comply with the Court-ordered deadline. In light of Defendant's repeated disregard for the Court's deadlines, the Court deems Plaintiff's motion to exclude Exhibit 7 unopposed. *See Workman v. Namaste Techs., Inc.*, 2019 WL 280948, at \*1 (S.D.N.Y. Jan. 22, 2019); *VSLP Krishtul v. VSLP United, LLC*, 2014 WL 940941, at \*2 (E.D.N.Y. Mar. 11, 2014), *aff'd*, 648 F. App'x 81 (2d Cir. 2016). The Court therefore grants Plaintiff's motion and excludes Defendant's Exhibit 7 from trial.

SO ORDERED.

Dated: January 17, 2024  
New York, New York



LEWIS J. LIMAN  
United States District Judge